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The Seigniorial System in Canada. A Study in French Colonial Policy. By WILLIAM BENNETT MUNRO, Assistant Professor of Government in Harvard University. New York, Longmans, Green and Company, 1907.—xiv, 296 pp.

In an age of historical researches it is not very often that a writer has the good fortune to discover an institution of real importance on which little has been written, and of which it is possible in moderate compass to describe the growth, the maturity, the decline and the fall. Professor Munro has found such material and has presented it in an excellent monograph. His work is based throughout on original sources, most of them fairly accessible but hitherto undigested. He has presented us with a clear, well-written and judicious account of the whole matter. We are glad to hear that he is to round off his task by editing for the Champlain Society a selection of the principal documents.

It is hard for us nowadays to associate feudalism with the new world. That anybody on the American continent should have had vassals over whom he might exercise *haute justice*, or from whom he might exact the *corvée*, strikes one as out of place, like chain-armor in Chicago. The relation of suzerain and vassal seems to be one of those outworn institutions of an old society which no one would dream of transplanting to a new country; and indeed the story of the Canadian seigniors, as late as in the year of grace 1775, calling out their vassals to render military service and being repulsed with sticks and stones, sounds like a bit of comic opera. Yet perhaps the strongest impression left on the mind after an attentive study of Mr. Munro's book is that the French statesmen who introduced the seigniorial tenure into Canada were well-advised. Few will regard its disappearance or deny that in 1854 its usefulness was gone; but in the early days of the colony it rendered real service, and was well adapted to ensure the settlement of a wild country. In fact there was in Canada a reproduction of some of the conditions out of which European feudalism had sprung. The remoteness from the central authority and the absolute need of every little community having a leader on whose protection the whole body might rely, are almost as clearly seen in the seventeenth century in Canada as in the seventh century in Gaul. When the daily peril from the redskins had passed away the seignior was still a useful bond to hold together the simple, illiterate *habitants*. The seignior and the *curé*—natural and traditional allies—were the leaders, advisers and friends of the little group which nestled round the *manoir*.

It must always be remembered that feudalism in Canada was of a benignant type. The seignior could not hold his lands unconceded. He was bound to make grants at the rates current in the neighborhood. The annual dues were almost nominal, as is shown by the fact that in many cases the farmers have not availed themselves of the statutory right of commutation. The ease of appeal and the supervision of the intendant made it impossible to turn the seigniorial justice into a means of oppression. The banal mill was, in the early days at any rate, an advantage for the *habitants* rather than a source of profit for the seignior. A pleasing picture of the simple patriarchal life of an old seignior, romanticised no doubt but essentially true and painted from the writer's own experience, may be found in *Les Anciens Canadiens* by de Gaspé. The serious grievances which led to the sweeping-away of the whole institution were the mutation fine of one-twelfth and the reservations frequently made against erecting mills *etc.* on the lands.

Mr. Munro begins with a rapid sketch of feudalism in Europe, and then discusses in detail the forms of tenure employed in Canada, the duties owed by the seignior to the Crown, or to the mid-superior in the case of an *arrière-fief*, and the duties of the vassal, or *habitant*, as he was generally called in Canada. In separate chapters he treats of the banal rights, of the *corvée*, of seigniorial justice, of the seigniorial *noblesse*, of the seigniorial system and the church, of the system under British administration and of its abolition by the act of 1854.

There are a good many points upon which opinions may differ, but no fault can be found with the careful and judicious treatment of the subject in general. I do not think, however, that it is correct to suggest that the selection of the *Coutume de Paris* as the law to be applied was an arbitrary choice, and that it might have been better to take the *Coutume de Normandie*, seeing that most of the settlers were Normans. Long before that time the *Coutume de Paris* had acquired such a prééminence among the *coutumes* that its application in the French colonies was clearly indicated. And Mr. Munro follows Messrs. Doutre and Lareau too closely when he says, on page 65 : "It is at best questionable whether any royal decree issued after 1663 could be binding in the Colony without having been enregistered by the Council at Quebec." This is much too mild a statement. The controversy is an old one, but few lawyers will dispute that it has now been settled by judicial decision that no unregistered ordinance was binding in the province. The present writer may be allowed to refer for a note of the authorities to his little book on *The Scope and Interpretation of the Civil Code*, which has appeared since the work of Mr. Munro.

The foregoing criticisms, it will be noted, deal with minor matters. Professor Munro's book is to be heartily recommended to all students of Canadian institutions.

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Reconstruction in South Carolina: 1865-1877. By JOHN S. REYNOLDS. Columbia, S. C., The State Publishing Company, 1905. —522 pp.

This work would have been much more interesting, if not more instructive, had it not been thrown, to so great an extent, into the shape of annals. The author chronicles incidents of no particular significance simply because they happen to be cotemporaneous with events that are landmarks in the history of the period. His accounts of the proceedings of conventions and legislatures look like mere transcripts of the journals of those bodies; and his review of the outrages perpetrated during the years of which he treats is interlarded by many trivial items. Constitutions, laws, reports, addresses, platforms, even the rolls of the two houses of the legislature, are given *in extenso* instead of being put into synoptic form or relegated to an appendix.

Nevertheless, by reason of this very fault, which is after all but superficial, the work may be the more valuable to the painstaking student because it depicts the horrible condition of affairs in the state with an approach to photographic accuracy. John Randolph once remarked that, after Shakespeare seemed to have "sounded his lowest note" in drawing Shallow and Slender "as the comparative and superlative degree of fatuity", "as if reveling in the exuberance of his power" he produced Master Silence "as the *ne plus ultra* of inanity and imbecility." So, if we take the reconstructed states of Alabama and Louisiana as the comparative and superlative degree of corruption and disorder, we must take the reconstructed state of South Carolina as the *ne plus ultra* of rottenness. This was necessarily the case, because South Carolina was the only state subjected to the procrustean process devised by Congress, in which the colored registered voters ruled with unobstructed sway, outnumbering the whites by nearly two to one and led by a coterie of adventurers from the North, fitly named carpet-baggers, with a sprinkling of renegades of the soil, fitly named scalawags—not so benighted, these latter, as the freedmen, but much more corrupt than the freedmen had yet learned how to be. Benjamin F. Perry, then provincial governor, warned the Congress of the consequences of forcing its plan upon the state: